

29393. Adulteration and misbranding of Fritzbro Solvent No. 1 and Solvent V and imitation flavors. U. S. v. 1 Bottle and 2 Bottles of Fritzbro Solvent No. 1 (and 3 similar seizure actions). Default decrees of condemnation and destruction. (F. & D. Nos. 41132, 41256, 41296, 41332. Sample Nos. 44300-C, 58034-C, 58035-C, 58051-C to 58055-C, incl., 58057-C, 58058-C.)

These solvents were, and the imitation flavors contained, a glycol or a glycol ether, or both, poisons.

On or about December 21 and 23, 1937, and January 6, 1938, the United States attorneys for the Eastern District of Virginia and the Northern District of Florida, acting upon reports by the Secretary of Agriculture, filed in their respective district courts four libels praying seizure and condemnation of three bottles and three jugs of Fritzbro Solvent No. 1, three jugs of Fritzbro Solvent V, and five jugs of imitation flavors in various lots at Norfolk, Va., and Gainesville, Fla.; alleging that the articles had been shipped in interstate commerce on various dates between December 31, 1936, and November 19, 1937, from New York, N. Y., by Fritzsche Bros., Inc.; and charging adulteration and misbranding in violation of the Food and Drugs Act. One lot of the solvents and the imitation flavors were labeled in part: "Fritzsche Brothers, Inc. New York."

The articles were alleged to be adulterated in that a poisonous substance, a glycol or a glycol ether, or both, had been substituted in whole or in part for food-flavor solvents and for imitation flavors, which they purported to be. The imitation flavors were alleged to be adulterated further in that they contained an added poisonous or deleterious ingredient, a glycol or a glycol ether, or both, which might have rendered them injurious to health.

Misbranding of all lots was alleged in that the articles were sold under the distinctive names of other articles. One lot of the Solvent No. 1 and the imitation flavors were alleged to be misbranded further in that the statements on the several labels, "Solvent No. 1," "Flavor Strawberry," "Flavor Pineapple," "Flavor Wild Cherry," and "Flavor Grape No. 2," were false and misleading and tended to deceive and mislead the purchaser when applied, in the case of the first-named product, to a poison unfit for use as a food-flavor solvent and in the case of the other products, to articles containing poison.

On March 30 and 31 and May 23, 1938, no claimant having appeared, judgments of condemnation were entered and the products were ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

29394. Adulteration and misbranding of Solvex and Gly-Ketol. U. S. v. 11 Cans and 5 Cans of Solvex (and 2 similar seizure actions). Default decrees of condemnation and destruction. (F. & D. Nos. 41034, 41183, 41282. Sample Nos. 9666-C, 37026-C, 53240-C.)

These products consisted of a glycol or a glycol ether, or both, poisons.

On December 6, 22, and 29, 1937, the United States attorneys for the Southern District of California, the Eastern District of Tennessee, and the Northern District of Texas, acting upon reports by the Secretary of Agriculture, filed in their respective district courts three libels praying seizure and condemnation of 2 drums and 16 cans of Solvex and 1 can of Gly-Ketol in various lots at Los Angeles, Calif., Chattanooga, Tenn., and Fort Worth, Tex.; alleging that the articles had been shipped in interstate commerce on various dates between September 11 and November 3, 1937, from New York, N. Y., by Dodge & Olcott Co.; and charging adulteration and misbranding in violation of the Food and Drugs Act. The articles were labeled in part: "D & O * * * Solvex [or "Gly-Ketol"] * * * Dodge & Olcott Co. New York."

Adulteration was alleged in that a poisonous substance, a glycol or a glycol ether, or both, had been substituted in whole or in part for Solvex and Gly-Ketol, food-flavor solvents, which the articles purported to be.

Misbranding was alleged in that the statements on the respective labels, "Solvex a non-alcoholic solvent for essential oils, vanilla, etc." and "Gly-Ketol," were false and misleading and tended to deceive and mislead the purchaser when applied to poisons unfit for use as food-flavor solvents; and in that they were offered for sale under the distinctive names of other articles, Solvex and Gly-Ketol, food-flavor solvents.

On April 13 and 23 and May 3, 1938, no claimant having appeared, judgments of condemnation were entered and the products were ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*